

REMARKS

This paper is filed in response to the Office Action dated March 27, 2003. New claims 40-54 have been added. Claims 13, 15-19, 30 and 32-54 are currently pending. Claims 15 and 17-19 have been withdrawn from consideration at this time by the Examiner. Reexamination and reconsideration are respectfully requested.

Claims 30, 33-35 and 37 have been amended to address the objections noted by the Examiner.

Claims 32-33 were rejected under 35 U.S.C. 112 as being indefinite. Applicant has amended claim 32 to depend from claim 30, and amended claim 33 to refer to "first and second floating gates". Applicant respectfully submits that claims 32-33 comply with section 112.

Claims 13, 16, 30 and 33-39 were rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 5,523,249 to Gill et al. ("Gill") in view of U.S. Patent No. 5,553,018 to Wang et al. ("Wang"). The rejection is respectfully traversed.

To establish a prima facie case of obviousness, the following criteria should be met. First, there should be a suggestion or motivation in the art to modify the reference or to combine reference teachings. Second, there should be a reasonable expectation of success. Third, the reference(s) must teach all the claim limitations. MPEP section 706.02(j). Applicant respectfully submits that the Examiner's citations to the art are insufficient to satisfy the three criteria above and accordingly, the rejections should be withdrawn.

The Examiner conceded at page 5 of the Office Action that "Gill et al. does not disclose the connecting area 17 having an electric resistance lower than any of the first and second source/drain regions." Gill, at col. 8, lines 60-63 and at col. 10, lines 61-64, appears to describe forming the source regions 11, drain regions 12, and the source lines 17 at the same dosage. The Examiner cited Wang as disclosing "the connecting area 500 is doped at a dosage of $1 \times 10^{16} \text{ cm}^{-2}$ " and that "it would have been obvious . . . to form the connecting area 17 of Gill et al. by implanting the area with dopants at a dosage of $1 \times 10^{16} \text{ cm}^{-2}$ as taught by Wang in order to provide the connecting area 17 with low resistivity." Applicant does not agree with the Examiner's conclusion. The Examiner cited no portion of the art that suggests a difference in the implant dosage between the connecting area and the source and drains. At best, to one of ordinary skill, relying the Wang as cited by the Examiner, might form a structure in which the

source, drain and connecting area all having an implantation dosage of $1 \times 10^{16} \text{ cm}^{-2}$.

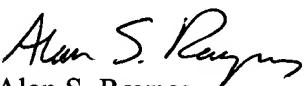
Accordingly, the Examiner has cited no portion of the art that suggests that the "connecting area has a electrical resistance which is lower than any one of the sources and drains of the first and second cell areas" as recited in claim 13. Applicant respectfully submits that the Examiner has not met his burden to establish a *prima facie* case of obviousness, and therefore the rejection of claim 13 should be withdrawn. The rejection of claims 16, 30 and 33-39 should be withdrawn for at least similar reasons as claim 13.

The Office Action also included various comments concerning the art and the non-patentability of features in various of the pending claims. Applicants respectfully disagree with the Examiner's non-patentability conclusions. The discussion above has directly addressed some of those comments and the Examiner's other comments are deemed moot at this time in view of this response.

New claims 40-54 have been added. Support for the new claims may be found throughout the specification and drawings. It is believed that no new matter has been entered. Examination of the new claims is respectfully requested.

Applicant respectfully submits that the pending claims are in condition for allowance. Reexamination and reconsideration are respectfully requested. If, for any reason, the application is not in condition for allowance, the Examiner requested to telephone the undersigned to discuss the steps necessary to place the application into condition for allowance.

Respectfully submitted,



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Alan S. Raynes

June 26, 2003
(Date)